

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MAKENZIE PAULY, et al.,

Plaintiffs,

v.

STANFORD HEALTH CARE,

Defendant.

Case No. [18-cv-05387-SI](#)

**ORDER RE DISCOVERY DISPUTE
NO. 4**

Re: Dkt. No. 90

On October 19, 2021, the parties filed the instant fourth discovery dispute pertaining to plaintiff's responses to defendant's requests for production of documents. Dkt. No. 90. Plaintiff makes various arguments regarding why she need not produce documents or need not produce further documents. See Dkt. No. 90 at 4-6.

The Court finds all of the disputed requests for production of documents are relevant to this action and plaintiff must therefore produce any responsive documents she has. Even if the documents called for in a given request are also in defendant's possession, defendant has a right to understand which documents plaintiff could potentially use to support her claims later in the case. Therefore, if plaintiff thinks she might rely upon a document later in the case – at summary judgment or at trial – even if she thinks it is already in defendant's possession, she must produce it or otherwise identify it.

If plaintiff does not possess any responsive documents to a given request, she may so state. However, in making such a representation she will be precluded from using any document that is in

her possession, responsive to one of defendant's document requests and which she did not produce.

Plaintiff must comply with this Order and serve her responses to defendant's requests on or before December 3, 2021.

IT IS SO ORDERED.

Dated: November 16, 2021



SUSAN ILLSTON
United States District Judge